

By: Ellis

S.B. No. 604

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the recovery of attorney's fees and certain costs in  
3 proceedings to recover delinquent debts owed to a county.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 113.902, Local Government Code, is  
6 amended to read as follows:

7 Sec. 113.902. PROSECUTION TO COLLECT DEBT OWED TO COUNTY;  
8 RECOVERY OF ATTORNEY'S FEES AND COSTS. (a) The county treasurer  
9 shall direct prosecution for the recovery of any debt owed to the  
10 county, as provided by law, and shall supervise the collection of  
11 the debt.

12 (b) In a proceeding to recover a delinquent debt owed to the  
13 county, including a delinquent account, loan, interest payment,  
14 tax, charge, fee, penalty, or claim on a judgment, the county  
15 attorney may recover reasonable attorney's fees and investigative  
16 and court costs incurred on behalf of the county. The county  
17 attorney may recover the fees and costs in the same manner as  
18 provided by law for a private litigant.

19 SECTION 2. (a) The change in law made by this Act applies to  
20 a proceeding to recover a delinquent debt owed to a county that is  
21 brought on or after the effective date of this Act. A proceeding to  
22 recover a delinquent debt owed to a county that is brought before  
23 the effective date of this Act is governed by the law in effect  
24 before the effective date, and that law is continued in effect for

1 that purpose.

2 (b) This Act takes effect September 1, 2003.